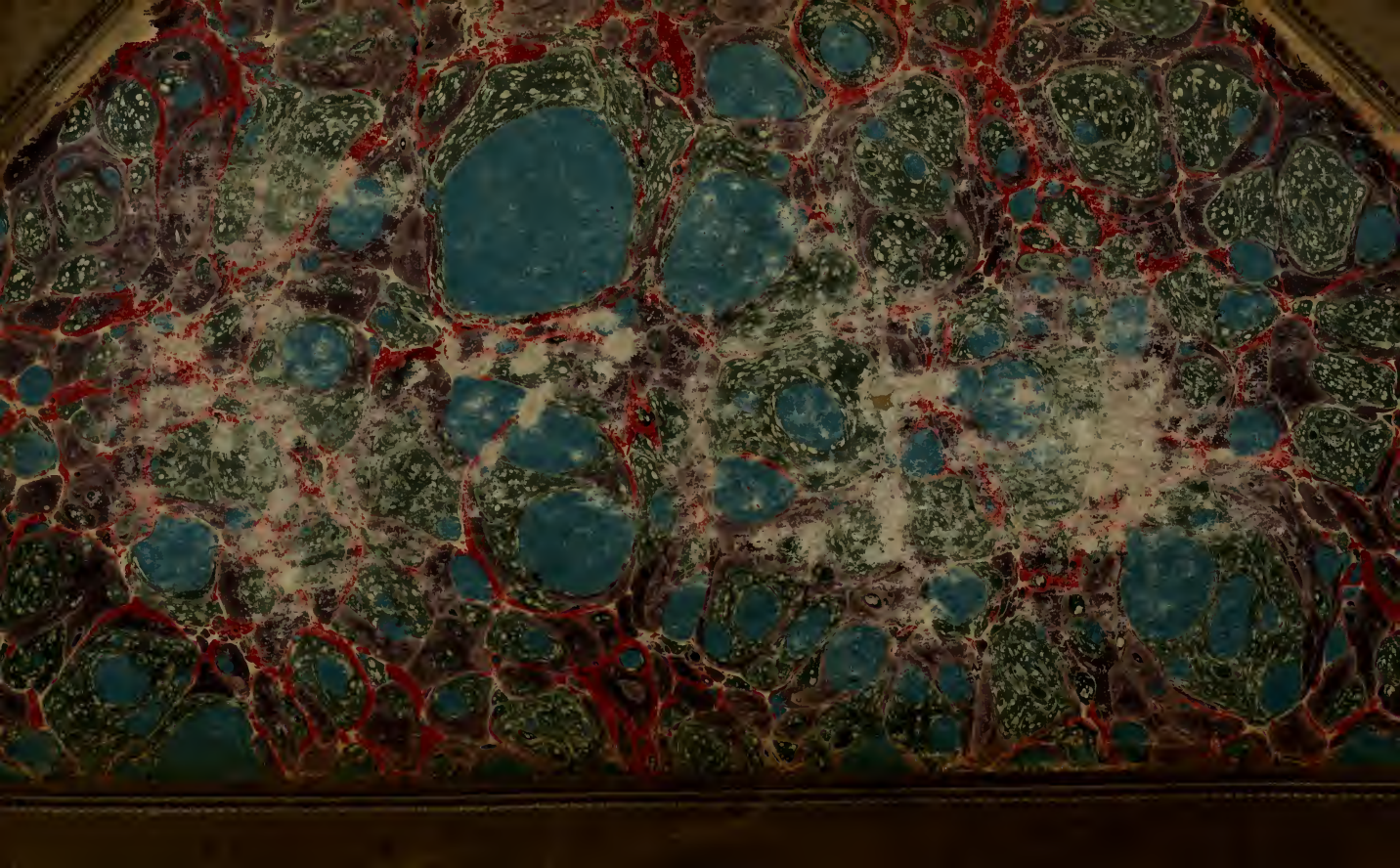

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MEMORANDUM.

REAR-ADMIRAL SIR JOHN C. DALRYMPLE HAY'S

COMPULSORY RETIREMENT FROM THE BRITISH NAVY.

"Hic labor, hoc opus est."

LONDON:
EDWARD STANFORD, 6 & 7, CHARING CROSS, S.W.

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MEMORANDUM.

REAR-ADMIRAL SIR JOHN C. DALRYMPLE HAY'S

COMPULSORY RETIREMENT FROM THE BRITISH NAVY.

Sir John Hay has received so many letters on the subject of his retirement from the Navy, and has seen in the press so many inaccurate statements thereon, that he thinks it right to draw up the following Memorandum.

Sir John Hay entered the Navy in 1835, and served continuously to 1850. He then studied at the Royal Naval College, and in 1853 was appointed to be Flag Captain at Portsmouth.

The Russian war having broken out, he served in the Black Sea till the peace, and then continuously in the Mediterranean and on the North American and West Indian Station till the end of 1859.

He had thus served on every station of the British Navy, and in every war, except the Indian Mutiny, in which it had been employed during the time that had elapsed from his entry into the service.

1834 to 1836—on the Cape of Good Hope Station and the West Coast of Africa, in the suppression of the slave trade; 1836—in the Channel Fleet; 1836 to 1839—on the Brazil and Pacific Station; 1839 to

1842—in the Mediterranean, at Beyrout, and Tortosa, St. Jean d'Acre; 1842 to 1850—on the East Indies and China Station, and especially in command of a squadron for the suppression of piracy; and then in the operations in the Black Sea at Sebastopol, Kertch, and Kinburn.

He had in 1859 fulfilled the time which the Queen's Regulations specified as necessary to qualify him for his flag on the active list.* He therefore had a positive certainty of rising, if he lived, to the highest ranks of his profession. On his return to England in 1859 he offered himself for employment. The Duke of Somerset, then First Lord of the Admiralty, requested him to serve as one of a Royal Commission to inquire into Greenwich Hospital—a duty which he concluded with Sir W. Hutt and Mr. Ingham in 1860.

In January, 1861, the Duke of Somerset, First Lord of the Admiralty, and Mr. Sidney Herbert, Secretary of State for War, requested him to be Chairman of a Committee to inquire into the use of iron for defensive purposes. This duty continued until October, 1864, involving labour of an unusual character and constant

* 2. To qualify a Captain, whose seniority brings him in turn for advancement, for the Active List of Flag Officers, he must have commanded one or more of Her Majesty's Ships, as Captain, four complete years during War, or six complete years during Peace, or five complete years during War and Peace combined.

A Captain shall be allowed to reckon as time served at Sea, the period during which he may have been employed afloat in that capacity on surveying or other duties, provided that, during such period, he shall actually have had the charge and command of some Surveying Ship or other sea-going Vessel, or that he shall have been borne for full-pay on the books of one of Her Majesty's Ships in Commission. And the Captains-Superintendent of Her Majesty's Dockyards shall be allowed to reckon as time served at Sea, the period during which they may be so employed.—*Queen's Regulations and Admiralty Instructions*, chap. vii., art. 2.

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and unremitting attendance for more than four years and a half.

Sir John Hay had thus not only completed every condition to qualify him for an Admiral, but had devoted more than five years of service to the duties which the First Lord of the Admiralty requested him to perform.

But having done so, having served actively in every war, and having performed laborious and unpaid duties in peace, he had a right to the belief that Government would fulfil the conditions of service under which he had continued to serve.

On the 24th March, 1866, however, a new rule was made, and it was provided that a retirement at certain fixed ages would for the future be enforced on all flag officers.* Though this rule to a certain extent deprived

* Further Retirement of Flag Officers under the Order in Council of 24th March, 1866.

1. Compulsory Retirement to be extended to all the Executive Lists.

2. Admirals to be retired on attaining 70 years of age, or when physically unfit for service.

3. Vice-Admirals to be retired on attaining 68 years of age, or when physically unfit for service.

4. Rear-Admirals to be retired on attaining 65 years of age, or when physically unfit for service.

5. Flag Officers at present on the Active List, who may be retired under these regulations, will retain all the privileges of rising in rank and pay to which they are now entitled; but no Flag Officer who has not hoisted his flag will be considered eligible for the appointments of Vice and Rear Admirals of the United Kingdom, or for promotion to the rank of Admiral of the Fleet.

6. The Active Flag List to be reduced to 85.

Admirals of the Fleet and Admirals .. .. (But not to be more than three Admirals of the Fleet at one time)	21	
Vice-Admirals	22	
Rear-Admirals	42	
	85	

This reduction to be made gradually, by only filling up two out of every three vacancies caused by the removal of Flag Officers who accept Greenwich Pen-

Sir John Hay of the advantages of the conditions of service under which he had been serving from 1835 to 1866, yet, as he did not obtain his flag till the 6th April, 1866, he has no right to complain of the mode in which this Order in Council was to affect him. This Order in Council stated, that if he continued a Rear-admiral until he was sixty-five years of age he was to be retired; if he obtained his Vice-admiral's flag before that time, he was to be retired as a Vice-admiral when sixty-eight years of age; and if he obtained his Admiral's flag before that date, he was to be retired when seventy, unless before that he obtained the rank of Admiral of the Fleet. As he was only forty-five years of age when he became a flag officer, it was certain that if he lived he must attain the rank of Admiral of the Fleet, the object of ambition of every naval officer.

In June, 1866, he was requested to form one of the Board of Admiralty, and had various responsible duties entrusted to him, such as the armament of the Navy and the conduct of the naval part of the Abyssinian war.

Feeling, however, that his superiors might desire him to serve afloat, he proposed to Mr. Corry, then First Lord of the Admiralty, before the general election

sions, and by retirements from age, whether optional or compulsory. Vacancies from all other causes to be filled up as they occur. Vacancies on the List of Flag Officers on Reserved Half Pay in receipt of Service Pensions, and on the List of Flag Officers of Greenwich Hospital, will not be filled up.

7. Flag Officers at present on the Active List, who have hoisted their Flags, or been employed at the Admiralty since their promotion to Flag Rank, are to be allowed to retain their places on the Active List, if they should prefer it, but they may be placed on the Retired List at their own request, with the consent of the Admiralty. Officers coming on the Flag List after this date will be subject to compulsory retirement at the age specified above, whether they have served or not.—*Navy List, April*, 1870, Appendix, pp. 479–80.

in 1868, to accept a command, and not to offer himself at that time for re-election.

This offer was declined, with some remarks as to the greater importance of his services at the Board of Admiralty and in Parliament in time of peace than any service he could render at sea. The present Board then took office, and Vice-Admiral Sir Sydney Dacres, who had been a member of the former Board of Admiralty with Sir John Hay, continued in the present Board as its chief naval adviser. His new Board found it their duty to reverse some of the acts of his former Board; but, as Sir Sydney Dacres would have been responsible for them, the present Board hit on the singular expedient of writing memoranda on official documents, so as to affix a stigma surreptitiously on individual members of the former Board. A rumour of this proceeding having come to Sir John Hay's knowledge, he took steps to ascertain the truth of the report with the result shown in the following official correspondence:—

SIR JOHN HAY *to the* ADMIRALTY.

108, ST. GEORGE'S SQUARE, S.W.,
January 20, 1870.

SIR,

I have the honour to state that, being desirous to refresh my memory on the subject of the Frazer Gun Manufacture, I applied to Sir Sydney Dacres to see the papers on this subject, on which certain correspondence with the War Office is based.

Sir Sydney Dacres sent for the papers, but after examining them, allowed me only to see my own Minute of 2nd December, 1868, based upon the Report of the Director-General of Naval Ordnance, and approved by my colleagues,

of whom Sir Sydney Dacres was then one. As this course was taken by Sir Sydney Dacres because, as I gathered from him, that in the subsequent Reports there were Minutes by his colleagues in which my name appeared, and that he consequently objected to my seeing them on his own responsibility, I have the honour to request that any Minutes made by the present Board, or by any of its members, and reflecting personally upon me for my acts as a member of the late Board, may be submitted to me for my information.

I have the honour, &c.,

J. C. D. HAY.

The Secretary of the Admiralty.

The Admiralty *to* Sir John Hay.

Sir, Admiralty, *January* 22, 1870.

I am commanded by my Lords Commissioners of the Admiralty to acknowledge the receipt of your letter of the 20th instant, requesting that Papers in this Department relative to the Frazer Gun Manufacture may be shown to you, and to acquaint you that you are at liberty to read any Papers or Minutes written before you left office on this subject, but that their Lordships cannot submit for your perusal any Minutes or Memoranda which may have been made or written after you left office.

I am, Sir, &c.,

VERNON LUSHINGTON.

Rear-Admiral Sir J. C. D. Hay, Bart., M.P., C.B.,
108, St. George's Square, S.W.

Sir John Hay *to the* Admiralty.

108, St. George's Square, S.W.,

Sir, *January* 27, 1870.

I have the honour to acknowledge the receipt of your letter, L.M.M., dated 22nd January, 1870. I beg you to thank the Lords Commissioners of the Admiralty for their permission to read any Papers or Minutes written before I left the Admiralty on the subject of the Frazer Gun Manufacture.

If you will be so good as to refer to my letter of the 20th inst., you will see that this was not the request it contained.

I had already, by the courtesy of Sir Sydney Dacres, had an opportunity of seeing the Papers and Minutes on the subject of the Frazer Gun Manufacture written before I left the Admiralty. What I asked to be allowed to see was any Minute made by the present Board, or any of its members, reflecting personally upon me for my acts as a member of the late Board.

As this is refused, and it is not denied that such a Minute exists, I am constrained to believe that the unusual course has been adopted of recording a personal charge against a member of the late Board for an act done by him in concert with his colleagues.

At the Board of the 2nd December, 1868, it will be found that all the members were present. Sir Sydney Dacres will remember that he was himself present, and that though my hand wrote the Minute, it was in conformity with the deliberate decision of all my colleagues, and was signed by the Secretary.

That Minute was a wise and prudent one, and I am quite prepared to justify it. It was made after the fullest inquiry, and on the responsible advice of Admiral Key, the Director-General of Naval Ordnance, recognized by all as a most competent adviser, and after consultation with those whose opinion was of weight.

Until it is denied I shall, as the subject is in his Department, assume that Vice-Admiral Sir R. S. Robinson has adopted a course, unprecedented I believe until the present Board took office, of making written personal reflections on individual members of a former Board behind their backs; and I conclude, from the unwillingness of their Lordships to permit me to see this Minute, that they are themselves convinced of the impropriety of such a course.

I have the honour to be, &c.,

J. C. D. HAY.

The Secretary of the Admiralty.

The ADMIRALTY *to* SIR JOHN HAY.

ADMIRALTY, S.W., *February* 2, 1870.

SIR,

I am commanded by my Lords Commissioners of the Admiralty to acknowledge the receipt of your letter of the 27th ult. relative to your request to see certain Minutes respecting the Frazer Gun Manufacture, and to express to you their Lordships' regret that, because they felt bound on principle to reply in the negative to an official application by you as a former member of the Board of Admiralty for Minutes written since you left the Board to be submitted for your information, you should have assumed that a "personal charge" against you was on record, or that their Lordships are "convinced of the impropriety" of some act of a member of the present Board.

2. My Lords cannot admit for an instant your right either to demand to see any particular Papers for the reasons you have assigned, or, when that demand is refused, to make the assumptions contained in your letter of the 27th ult.

3. My Lords might have declined to say more on the subject, but the members of the Board whose names you have mentioned, and who were your colleagues in office, having requested that the Memorandum to which it is supposed you refer may be read by you, in order that you may see that your impressions as to its nature are unfounded, my Lords have directed that it be shown to you, if you will be good enough to call at the Admiralty for that purpose.

I am, Sir, your obedient servant,

VERNON LUSHINGTON.

REAR-ADMIRAL SIR J. C. D. HAY, Bart., M.P.,
108, St. George's Square, S.W.

SIR JOHN HAY *to the* ADMIRALTY.

108, ST. GEORGE'S SQUARE, S.W.,
February 4, 1870.

SIR,

I have the honour to acknowledge the receipt of your letter of the 2nd on my return from Scotland yesterday.

I am much obliged to the Lords Commissioners of the Admiralty for permission to attend at the office and read the Minute in which I had reason to believe that my name had been inserted and singled out, and commented on, for an official act of the whole Board of which Sir Sydney Dacres and I were members.

I am exceedingly obliged to my late colleague for having requested that the Memorandum in question may be read by me, and I shall be glad to find that my impression that my name has been interpolated in that Minute is unfounded.

I think it due to the Board to disclaim any attempt to demand as a right any Minute or Document framed by them.

This is an acknowledged axiom of public life, and the last I should seek to infringe.

I may, however, remind you that it fell to my lot, as entrusted by my late colleagues with certain branches of the public service at the Admiralty, to have to recommend the reversal of decisions of former Boards as recommended to them by persons holding similar positions.

Experiment, more accurate knowledge, the lapse of time made these changes of policy, in my opinion, advisable.

But I should have deemed myself guilty of gross impertinence if, in recommending these changes, I had interpolated the names of Admiral Fanshawe, or Admiral Frederick, or Admiral Drummond, or Admiral Eden, whose decisions may have come under review; and I should have conceived myself to have been taking a most improper course, if by any chance I had been driven to mention the names of those distinguished officers, if I had failed to acquaint them with the fact.

I do not pretend to place myself on an equality with the officers, my predecessors, whom I have named, and am no judge whether the distinguished ability of my successor justifies him in adopting a course which I could not have pursued to those who preceded me, but justice to my late colleagues and to those who may hold the office which I filled, however unworthily, demands that I should strenuously assert the impropriety of attributing the acts of a Board to an individual member of it, or of recording and animadverting

on the name of any person without making him acquainted with the fact.

I shall have the honour of attending at Whitehall at 11 A.M. on Monday, to read the Minute in which you do me the honour to state that I mistakenly assume that my name has been improperly used.

I have the honour to be, Sir,
Your obedient humble servant,
J. C. D. HAY, BART., M.P.

The SECRETARY of the ADMIRALTY.

In accordance with the invitation of the Admiralty, Sir John Hay called upon Mr. Childers at 11 A.M. on Monday, 7th February. After some conversation Mr. Childers showed the Memorandum in question to Sir John Hay. The portion to which Sir John Hay took exception was:—

"*The Admiralty (Sir John Hay) appears to have entered "needlessly, and with imperfect knowledge, into a controversy "with the War Department on the subject.*"

Sir John Hay believes it to be unusual, and indeed unprecedented, that personal reflections upon former Ministers should be recorded publicly by their successors without making them acquainted with the fact, and giving them public opportunity of defending their acts.

He is sure that oral advice of that kind is sufficient, and that when a charge is publicly recorded, its object should be acquainted with its existence, as has always been the custom at former Boards.

Sir John Hay has good reason to believe that this was not the sole occasion on which his name had been so used, and that a similar course had been pursued in regard to at least one of his late colleagues.

SIR JOHN HAY *to the* ADMIRALTY.

108, ST. GEORGE'S SQUARE,
February 8, 1870.

SIR,

I have the honour to request that you will be so good as to express to my Lords Commissioners of the Admiralty my thanks for their courtesy in permitting me to see the Minute reflecting upon me personally for an act of the late Board. This was the sole object of my first request. I have therefore only to state that I believe it to be inconvenient and contrary to ordinary usage that a personal charge should be publicly recorded without making its object aware of its existence. I take the liberty further to add that I do not think that on reflection it will be found that either I or my late colleagues "had entered needlessly and with imperfect "knowledge into a controversy with the War Department." I must leave their Lordships to deal with the charges as they think proper.

I am, &c.,

J. C. D. HAY.

The SECRETARY of the ADMIRALTY.

The ADMIRALTY *to* SIR JOHN HAY.

ADMIRALTY, *4th March*, 1870.

SIR,

I am commanded by my Lords Commissioners of the Admiralty to transmit to you a copy of the Supplement of the 'London Gazette' of the 1st March, containing the Provisions of the Schemes of Retirement and Improvement of Pay sanctioned by Her Majesty's Order in Council of the 22nd February, 1870.

I am to draw your attention to the clauses in the temporary provisions under which option of electing the new or old Regulations for Retirement and Pay may be given you; and I am to request that you will state, in writing, without any delay, whether you wish to be dealt with under former Regulations or to accept the terms offered by this Order in

Council; also, whether you wish to be considered as a Candidate for Retirement, irrespective of age, in order to facilitate the reductions of the Active Lists.

Should your answer not be received before the 21st instant, you will be considered to have elected the new Regulations.

I am to request that you will fill up in duplicate the Forms transmitted herewith.

I am, Sir,

Your obedient servant,

VERNON LUSHINGTON.

Rear-Admiral Sir John C. Dalrymple Hay, Bart., M.P., C.B.,
108, St. George's Square, S.W.

Sir John Hay was forty-nine, and the age retirement of 1866 would not touch him for sixteen years. He had been constantly employed, and had considerable experience in his profession.

A new proviso, specially affecting him, was introduced into the scheme of naval retirement.

This was that any admiral who had not been to sea for ten years during the latter years of his service as Captain and the early years of his service as Rear-admiral should be compelled to retire from the Navy.* Mr. Childers stated in the discussion on Lord Henry

* Wednesday, March 2, 1870.

	Age.		
	Compulsory, are to be retired.		Optional, may retire.
Rear-Amdiral (2)	At any age so soon as 10 years have elapsed since his flag was hauled down, or (if he has not hoisted his flag) since his service as Captain ceased.	55	To be retired irrespective of age, at the discretion of the Admiralty, if found physically unfit for service.

—*Supplement to the London Gazette of Tuesday, 1st of March*, 1870.

Lennox's motion on the 18th March, that this was only extending to the list of admirals a provision already existing in other ranks. This was not so: no such regulation exists with regard to the combined unemployed time of an officer in any other ranks in the Navy; and Mr. Gladstone further added to the inaccuracy by stating that the new retirement was entirely voluntary.

Sir John Hay *to the* Admiralty.

108, St. George's Square, S.W.,
18*th March*, 1870.

Sir,

I have the honour to acknowledge the receipt of your letter and enclosures, by which I am informed that I am compelled to retire from Her Majesty's Naval Service.

2. I deem it due, however, to my own reputation to place on record here my opinion in regard to the compulsory retirement of the youngest flag-officer but one on the list of the Navy.

3. I shall not recapitulate my services such as they are, but will merely refer the Board to the 'Gazette,' and to letters of thanks from former administrations.

4. Having in the year 1859 more than completed the combined war and peace sea-time to qualify me for my flag, I reported myself as ready for employment at sea. The Admiralty, however, deemed it more advantageous to the public service to give me civil employment under the Admiralty, and requested me to serve as a member of the Royal Commission appointed to inquire into Greenwich Hospital. That service having been completed to the satisfaction of the Board of Admiralty, I was appointed Chairman of the Iron-Plate Committee, a post which I held for more than four years until the abolition of that Committee. For this further civil employment I again with my colleagues received the thanks of the Board.

5. In April, 1866, I was advanced to my flag-rank, with

the express stipulation that I should be liable to be retired at the age of sixty-five if still a Rear-admiral, and at sixty-eight or seventy if I had attained the various higher grades.

6. I was in that year requested to form one of the Board of Admiralty, and so continued until the change of Government in 1868.

7. I may therefore, say without fear of contradiction, that during the ten years which have elapsed since my last sea-service afloat, I have been employed for seven years in the Civil Service of the Admiralty by the choice of those who were under various administrations entrusted with the selection of officers for service.

8. I may also state that I applied in writing to the First Lord of the Admiralty, of which I was a member, to give me active service afloat; but that he declined from the consideration that in peace he considered *that my services at the Board were such that he did not feel justified in dispensing with them.*

9. Service at the Admiralty has hitherto been considered the most honourable to which a naval officer could aspire in peace. The pecuniary recompense was nothing, but it gave him opportunity for acquiring information on naval affairs which could not be obtained in other appointments, and it gave him an enlarged capacity for dealing with great questions when the country might require him to command its fleets.

10. It is desirable doubtless that in the junior ranks of the Navy constant sea-service should complete the officer in all the details of his profession; but the naval Commander-in-Chief, who has thoroughly learned his profession in youth, is of increased value to the State, if instead of passing his life in a narrow round of professional routine, he can add to that a knowledge of men and public affairs, which can only be gained in other positions.

11. In confirmation of this I may instance the fact, that the services of almost all the men whose naval reputation is the greatest would have been lost to the State by this

arrangement, before their greatest achievements had conferred lustre on the country; amongst others I may name Lord Rodney, Lord Duncan, Sir Pulteney Malcolm, Sir Thomas Cochrane, the late Sir George Seymour, Sir William Martin, Sir Alexander Milne, and Lord Clarence Paget.

12. I may remind you also that my sea-service up to promotion to flag rank is about the same as that of Sir Edmund Lyons on his appointment to the Black Sea Fleet, after nearly twenty years occupied in the diplomatic service.

13. I cannot think *that* a good rule which would have deprived the country of the services of these men.

14. I, of course, can only respectfully bow to the decision of this Board, who are the responsible judges of the character and qualifications of an officer; but I must on public grounds record my protest against this decision, not only as in itself a breach of faith, but because of the serious inconvenience to the public service which must result from a rule which changes services at the Admiralty, hitherto considered an honourable distinction, into penal servitude.

15. I trust that the determination to dismiss me from active service may result in obtaining younger Admirals than I am, for whatever may be the opinion of my professional knowledge, I venture to say that none of those who may replace me will be possessed with greater loyalty to the Throne or a more patriotic desire in war to serve the country.

I am, Sir,

Your obedient servant,

(Signed) J. C. D. HAY, Bart., M.P.

To the Secretary of the Admiralty.

Sir John Hay's retirement having already been notified to him, Mr. Childers wrote the following note :—

Mr. Childers *to* Sir John Hay.

My dear Hay, 19*th March*, 1870.

I said on Thursday night, in the debate on Naval Retirement, that I considered yours a hard case; but that I was not prepared to propose any exceptions to the ten years' rule. I did not say that I had, a year ago, offered you employment; and that you told Beauchamp Seymour that you did not wish to go to sea. I thought that it would not be fair to prejudice the case by such a statement, as your answer might have been different if the new order had been in force.

But I am now able to meet your case, without making any exception to the rule in your favour. We have had it in contemplation to make the East Indian command again a Rear-Admiral's, in consequence of the considerable increase to the squadron, resulting from the arrangements now being discussed with the Government of India, and from the necessity of strengthening the Zanzibar division. I am in a position to submit your name to the Queen for this command, and you could hoist your flag on board the 'Fisgard' before the 1st April. Sir L. Heath's period of service is up in June, and this will give you the usual time to make your preparations for going out in May.

Let me know your decision at your earliest convenience. Until the Queen's pleasure has been taken this should only be known by your personal friends and in strict confidence.

Believe me,

Yours very sincerely,

HUGH C. E. CHILDERS.

Rear-Admiral Sir John Hay, Bart., M.P.

It was quite evident that, under the then existing circumstances, Sir John Hay could accept no command; but the first thing that struck him with astonishment was that the First Lord of the Admiralty

should attribute to a conversation with his private secretary in the unrestrained freedom of social intercourse, the weight of such an offer of a command as would justify him in saying that Sir John Hay had declined a command. Several commands have been vacant since Mr. Childers took office—none have been offered to Sir John Hay, either by interview or by letter.

But what was the command about to be offered?

When Mr. Corry left office, Sir Leopold Heath, who had been the colleague of Lord Napier of Magdala during the Abyssinian war, had been left as a first-class Commodore in command on the East Indian Station. Mr. Childers reduced him to a second-class Commodore because he could not justify the expense of maintaining Sir Leopold Heath as a first-class Commodore on so unimportant a command. The command must have been, in the opinion of this Admiralty, unimportant indeed, when the General, having been made a Peer, the Commodore was reduced in rank before his term of service had expired. No other Rear-admiral has been appointed to the command which Sir John Hay declined.

Sir John Hay replied as follows:—

108, St. George's Square, S.W.,
21*st March*, 1870.

My dear Childers,

I have received your note of Saturday, offering to appoint me to the East Indies as a Rear-Admiral's command.

Whilst thanking you for the offer, I am bound at the same time to say that I do not see how I could accept it with honour.

It is manifestly made to save *me* (especially) from the incidence of a new regulation, framed so as to deprive many

of my brother officers as well as myself of the power of serving the country.

We are together opposing the adoption of this new regulation, which we believe to be impolitic and unjust. Until, therefore, the question is settled for or against us, I cannot willingly do that which would seem to prejudice the case against all those who are similarly affected. I am compelled, therefore, to decline the appointment.

You say in your letter "*that you did not say that you had, "a year ago, offered me employment, and that I told Captain "Beauchamp Seymour that I did not wish to go to sea.*"

I think there is some mistake in this matter. I never received from you, or from any one in your name, an offer of an appointment at any time until Saturday last. The only circumstance, so far as I can recollect, that by any possibility could have led to such a misapprehension, was on one occasion, soon after the present Government took office, I happened to be staying at the same country house with Beauchamp Seymour, who spoke to me on the subject of employment—he making to me (as I took it, almost *en badinage*) an offer to place my name before you for consideration, in case I desired employment. I believe I replied that, in peace, I preferred the constituency which I have the honour to represent to any other employment.

I hardly think that an offer so made was one to be used in debate, or anywhere else, as an official statement that I did not wish to go to sea. I have now, I think, replied to all the points in your note.

I may add that I should hardly think it fair to desert the friends with whom I usually act in political life and in the House of Commons, where my services, however slight, may be useful at a period of unexampled change in the Navy and its Ordnance; as well as upon the Abyssinian Committee, which I am naturally expected to attend to, in consequence of my official duty during the continuance of that war.

I am, yours very faithfully,

J. C. D. HAY.

Right Hon. H. C. E. Childers, M.P.

MR. CHILDERS *to* SIR JOHN HAY.

MY DEAR HAY, 21*st March*, 1870.

I have received your letter of to-day, and I regret that you cannot accept the command.

I enclose a note from Beauchamp Seymour about what passed between you last January year, and I am very sorry that there should have been any misapprehension on the subject.

Believe me,

Yours very sincerely,

HUGH C. E. CHILDERS.

The ADMIRALTY *to* SIR JOHN HAY.

SIR, ADMIRALTY, *March* 21*st*, 1870.

I am commanded by My Lords Commissioners of the Admiralty to acknowledge the receipt of your letter of the 19th instant.

2. In reply, I am to acquaint you that My Lords have given due consideration to your request that time served by you on the Royal Commission on Greenwich Hospital, and that served by you as Chairman of the Iron Plate Committee, should count as full service, and I am to express their regret that they are unable to comply with your request.

I am, Sir,

Your obedient Servant,

VERNON LUSHINGTON.

REAR-ADMIRAL SIR JOHN HAY, Bart., C.B., M.P.,
108, St. George's Square, Pimlico.

To which Sir John Hay replied:—

108, ST. GEORGE'S SQUARE, S.W.,
26*th March*, 1870.

SIR,

I have the honour to learn with some surprise that none of the time served by me on the Royal Commission on Greenwich Hospital and as Chairman of the Iron Plate

Committee is to be allowed to count as time for my retirement.

I cannot imagine upon what principle this decision has been arrived at. With reference to the Iron Plate Committee, which sat *en permanence* for four years and nine months, I can only say that greater labour was not undergone by any person in the public employment.

The record of attendances is at the Admiralty, and I see by a record in my possession that during the last year alone I attended 267 times. I need say nothing of the character of the duties or the result of the inquiry. The Controller of the Navy is a member of the present Board, and as well aware as I am of the responsible and laborious nature of the duties I carried out for nearly five years. I shall be much surprised if, on reconsideration, the time thus constantly employed is not allowed to reckon at my discharge from the Navy.

I am, Sir,

Your obedient servant,

(Signed) J. C. D. HAY, Bart., M.P.,
Rear-Admiral.

To the Secretary of the Admiralty.

The Admiralty *to* Sir John Hay.

Sir, Admiralty, 24*th March*, 1870.

My Lords Commissioners of the Admiralty not having received any reply to their communication respecting the scheme of Naval Retirement, I am directed to refer you to the 3rd paragraph of the notice in the 'London Gazette,' and I am to request you will inform me if My Lords are right in interpreting your intentions as accepting the new regulations.

I am Sir,

Your obedient Servant,

VERNON LUSHINGTON.

Rear-Admiral Sir J. C. D. Hay, Bart., C.B.,
108, St. George's Square, Pimlico.

SIR JOHN HAY *to the* ADMIRALTY.

108, ST. GEORGE'S SQUARE, S.W.,
SIR, *25th March*, 1870.

I have the honour to acknowledge the receipt of your letter of yesterday's date. I had already replied to the Admiralty Circular on the subject of retirement in my letter of the 18th instant.

The Circular in question contains a regulation which renders me incapable of serving Her Majesty at sea in the Royal Navy, and if continued will deprive future Administrations of their right to employ me in war.

I have no choice in the matter; and as I observe, unless I signify otherwise, My Lords propose to assume that I accept the new regulations, I acquiesce in their decision.

I have the honour to be, Sir,

Your most obedient servant,

(Signed) J. C. D. HAY, Bart., M.P.,
Rear-Admiral.

THE SECRETARY OF THE ADMIRALTY.

The ADMIRALTY *to* SIR JOHN HAY.

SIR, ADMIRALTY, 1*st April*, 1870.

I am commanded by My Lords Commissioners of the Admiralty to acquaint you that, in accordance with the provisions of the plan of Naval Retirement sanctioned by Her Majesty's Order in Council of the 22nd February, 1870, you have been placed on the Retired List of your rank from this day's date.

I am, Sir,

Your obedient servant,

VERNON LUSHINGTON.

TO REAR-ADMIRAL SIR JOHN C. DALRYMPLE HAY, Bart., M.P.

It is a remarkable coincidence that the arrangements of this new Retirement Scheme have specially benefited the two naval officers who are known to have been officially consulted by Mr. Childers in its preparation. Just sufficient Admirals were retired to give Sir Sydney Dacres his promotion to that rank, and the private secretary to the First Lord is now one of the junior Rear-admirals.

Sir John Hay is far from thinking that he has been more hardly treated than his brother officers, who have been similarly injured by a retrospective law.

He may have felt more acutely the disappointment which in the ordinary course of nature he, as the youngest of the sufferers on the flag list, may have longest to bear.

He may be unable to persuade himself that the very sweeping and unexpected measure of compulsory retirement, which has been extended so as to include him, was not specially introduced, so as to oblige a political opponent to make his election between a forced retirement from the ranks of parliamentary opposition, or from his profession; and that such an alternative was proposed to him he thinks is shown in the foregoing correspondence; but apart from these considerations he believes this new retirement scheme, so far as it is restrospectively compulsory, to be a breach of faith on the part of the Government most prejudicial as a precedent to the interests of the Naval service, and he therefore deems it to be his duty to bring the facts of the case and their consequences to the knowledge of the public.

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